

[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE: JUUL LABS, INC., MARKETING,  
SALES PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION**

Case No. 19-md-02913-WHO

**STIPULATION AND [PROPOSED]  
ORDER TO AMEND TRIBAL CASE  
SCHEDULE**

Judge: Hon. William H. Orrick

**This Document Relates to:**

*Cheyenne and Arapaho Tribes of Oklahoma v.  
Juul Labs, Inc. et al., Case No. 3:21-cv-05134*

*Fond Du Lac Band of Lake Superior  
Chippewa v. Juul Labs, Inc., et al., Case No.  
3:20-cv-03995*

*Klamath Tribes v. Juul Labs, Inc., et al.*, Case No. 3:20-cv-03987

The parties jointly stipulate and agree, subject to the Court's approval, to amend certain deadlines applicable in the above-captioned cases.

WHEREAS on January 24, 2022, the Court entered an order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 2794 (adopting the parties' proposed tribal case schedule and bellwether selection process).

WHEREAS on July 28, 2022, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3363 (adopting the parties' proposed amended schedule).

1        WHEREAS on February 14, 2023, the Court entered a further order outlining pretrial deadlines in  
 2 the Tribal bellwether litigation. *See* Dkt. No. 3794 (adopting the parties' proposed amended schedule).

3        WHEREAS on April 20, 2023, the Court entered a further order outlining pretrial deadlines in the  
 4 Tribal bellwether litigation. *See* Dkt. No. 3933 (adopting the parties' proposed amended schedule).

5        WHEREAS on May 19, 2023, the Court entered a further order outlining pretrial deadlines in the  
 6 Tribal bellwether litigation. *See* Dkt. No. 4038 (adopting the parties' proposed amended schedule).

7        WHEREAS on July 20, 2023, the Court entered a further order outlining pretrial deadlines in the  
 8 Tribal bellwether litigation. *See* Dkt. No. 4069 (adopting the parties' proposed amended schedule).

9        WHEREAS on September 19, 2023, the Court entered a further order outlining pretrial deadlines in the  
 10 Tribal bellwether litigation. *See* Dkt. No. 4139 (adopting the parties' proposed amended schedule).

11       WHEREAS on November 17, 2023, the Court entered a further order outlining pretrial deadlines in  
 12 the Tribal bellwether litigation. *See* Dkt. No. 4155 (adopting the parties' proposed amended schedule).

13       WHEREAS on December 8, 2023, the Court entered a further order outlining pretrial deadlines in  
 14 the Tribal bellwether litigation. *See* Dkt. No. 4170 (adopting the parties' proposed amended schedule).

15       WHEREAS, in order to accommodate the schedules of the parties and deponents, the parties have  
 16 met and conferred and, subject to the Court's approval, the parties jointly propose a revised schedule for  
 17 the deadlines below.

18       WHEREAS, subject to the Court's approval, the parties state as follows:

- 19       1. The parties agree that the deposition of Plaintiffs' expert, Dr. Martin Kovach, will take  
 20 place on March 18, 2024;
- 21       2. To accommodate Dr. Kovach's deposition, the parties propose an extension of the deadline  
 22 for Defendants' expert report(s) to March 28, 2024.
- 23       3. The parties' proposed revised schedule of deadlines for the three tribal bellwether cases is  
 24 as follows:

Event	Current deadline	Proposed deadline
Depositions of Plaintiffs' Experts	March 12, 2024	March 18, 2024

Event	Current deadline	Proposed deadline
Defendants' Expert Reports <sup>1</sup>	<b>March 12, 2024</b>	<b>March 28, 2024</b>
Depositions of Defendants' Experts	<b>June 7, 2024</b>	<b>June 7, 2024</b>
Deadline to file Summary Judgment and <i>Daubert</i> Motions	<b>June 11, 2024</b>	<b>July 3, 2024</b>
Deadline to file Oppositions to Summary Judgment and <i>Daubert</i> Motions	<b>August 16, 2024</b>	<b>September 6, 2024</b>
Deadline to file Replies in support of Summary Judgment and <i>Daubert</i> Motions	<b>September 6, 2024</b>	<b>October 1, 2024</b>

The parties therefore respectfully request that the Court enter an Order establishing the above deadlines.

Dated: February 20, 2024

Respectfully submitted,

By: /s/ Lauren S. Wulfe  
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<sup>1</sup> Plaintiffs reserve their right to seek submission of rebuttal expert reports following submission of Defendants' expert reports. Defendants dispute that rebuttal expert reports would be appropriate, and reserve all rights to contest any attempt by Plaintiffs to seek their submission.

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 No. 3:20-cv-03987

Judge: Hon. William H. Orrick

The Court hereby adopts the Parties' stipulations regarding deadlines in the above-referenced tribal bellwether cases as follows:

1. In all tribal bellwether cases, the deadlines will be extended as follows:

Event	Current deadline	Proposed deadline
Depositions of Plaintiffs' Experts	March 12, 2024	March 18, 2024

Event	Current deadline	Proposed deadline
Defendants' Expert Reports <sup>1</sup>	<b>March 12, 2024</b>	<b>March 28, 2024</b>
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Date: February \_\_\_, 2024

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HONORABLE WILLIAM H. ORRICK  
United States District Judge

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## **CERTIFICATE OF SERVICE**

I hereby certify that on February 20, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

By: /s/ Lauren S. Wulfe

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